

I, a below named inventor, depose and say that: (1) my residence, citizenship, and mailing address are indicated below; (2) I have reviewed and understand the contents of attached specification, including the claims, as amended by any amendment specifically referred to herein, (3) I believe that the other below named inventors and I are the original, first, and joint inventors or discoverers of the invention or discovery in

described and claimed therein and for which a patent is sought; and (4) I hereby acknowledge my duty to disclose to the Patent and Trademark Office all information known to me to be material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56.*

Attention: Michael A. Hakamaki
Office of Intellectual Property Counsel
3M Innovative Properties Company
P.O. Box 33427
St. Paul, Minnesota 55133-3427
Telephone No. 651-733-1533

*Title 37, Code of Federal Regulations, §1.56 is attached.

Gary W Kwong 12/1/00
 Gary W. Kwong Date
 Residence: Falcon Heights, Minnesota U.S.A.
 Citizenship: United States of America
 Post Office P.O. Box 33427
 Address: St. Paul, Minnesota 55133-3427

Malcolm B. Burleigh 12/1/00
Date
Residence: St. Paul, Minnesota U.S.A.
Citizenship: United States of America
Post Office P.O. Box 33427
Address: St. Paul, Minnesota 55133-3427

§1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

09728857 120100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gary W. Kwong, Mitchell T. Johnson and

Group Art Unit: Unknown

Malcolm B. Burleigh

Serial No.: Unknown

Filed: December 1, 2000

Examiner: Unknown

For: WATER DISPERSIBLE FINISHING COMPOSITIONS FOR FIBROUS
SUBSTRATES

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on:

December 1, 2000
Date

Doreen A. Gwin
Signature

ASSOCIATE POWER OF ATTORNEY

Commissioner for Patents
Washington, DC 20231

Dear Sir:

Kindly appoint as Associate Attorney in the above-identified application Ronald A. Daignault, Registration No. 25,968, whose address is Merchant & Gould, 80 South Eighth Street, Suite 3200, Minneapolis, Minnesota 55402, Telephone No. 612-332-5300. The correspondence address for all communications should not be changed.

Registration Number 35,580	Telephone Number 651-737-8459
Date December 1, 2000	

Respectfully submitted,

By

Doreen S. L. Gwin
Doreen S. L. Gwin

Office of Intellectual Property Counsel
3M Innovative Properties Company
P.O. Box 33427
St. Paul, Minnesota 55133-3427
Facsimile: (651) 736-3833

United States Patent & Trademark Office
Office of Initial Patent Examination

Application papers not suitable for publication

SN 09728857 Mail Date 12-01-00

- ☐ Non-English Specification
- ☒ Specification contains drawing(s) on page(s) _____ or table(s) 1 - 8
- ☐ Landscape orientation of text ☐ Specification ☐ Claims ☐ Abstract
- ☐ Handwritten ☐ Specification ☐ Claims ☐ Abstract
- ☐ More than one column ☐ Specification ☐ Claims ☐ Abstract
- ☐ Improper line spacing ☐ Specification ☐ Claims ☐ Abstract
- ☐ Claims not on separate page(s)
- ☐ Abstract not on separate page(s)
- ☐ Improper paper size -- Must be either A4 (21 cm x 29.7 cm) or 8-1/2"x 11"
- ☐ Specification page(s) _____ ☐ Abstract
- ☐ Drawing page(s) _____ ☐ Claim(s)
- ☐ Improper margins
- ☐ Specification page(s) _____ ☐ Abstract
- ☐ Drawing page(s) _____ ☐ Claim(s)
- ☐ Not reproducible
- | <u>Reason</u> | <u>Section</u> |
|---|--|
| <input type="checkbox"/> Paper too thin | <input type="checkbox"/> Specification page(s) _____ |
| <input type="checkbox"/> Glossy pages | <input type="checkbox"/> Drawing page(s) _____ |
| <input type="checkbox"/> Non-white background | <input type="checkbox"/> Abstract |
| | <input type="checkbox"/> Claim(s) |
- ☐ Drawing objection(s)
- ☐ Missing lead lines, drawing(s) _____
- ☐ Line quality is too light, drawing(s) _____
- ☐ More than 1 drawing and not numbered correctly
- ☐ Non-English text, drawing(s) _____
- ☐ Excessive text, drawing(s) _____
- ☐ Photographs capable of illustration, drawing(s) _____

001021 532460